

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

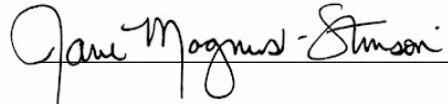
CHICAGO TITLE INSURANCE COMPANY,)	
<i>Third-Party Plaintiff,</i>)	
)	
vs.)	1:11-cv-768-JMS-DKL
)	
NWJ INVESTMENT FUND, IV, LLC, &)	
NICKOLAS W. JEKOGIAN, III,)	
<i>Third-Party Defendants.</i>)	

ORDER

Presently pending before the Court is Third-Party Plaintiff Chicago Title Insurance Company's ("Chicago Title") Motion to Dismiss Unresolved Issues Without Prejudice. [Dkt. 95.] Chicago Title moves to dismiss unresolved claims against Third-Party Defendants NWJ Investment Fund, IV, LLC ("NWJ"), and Nickolas W. Jekogian, III pursuant to Federal Rule of Civil Procedure 41(a)(1)(2). Specifically, Chicago Title would like to dismiss all unresolved claims so that it can pursue the enforcement of its claim against Mr. Jekogian that was resolved on summary judgment in favor of Chicago Title and against Mr. Jekogian for \$343,301.39. [Dkts. 90; 95 at 1.] Neither NWJ nor Mr. Jekogian responded to Chicago Title's motion to dismiss.

The Court **GRANTS** Chicago Title's motion to dismiss to the extent that 1) all claims against NWJ are **DISMISSED WITHOUT PREJUDICE**, and 2) all claims against Mr. Jekogian, except for the claim on which the Court entered summary judgment in favor of Chicago Title for \$343,301.39, are **DISMISSED WITHOUT PREJUDICE**. [Dkt. 95.] Chicago Title's Motion to Enter Summary Judgment as a Final Judgment is **DENIED AS MOOT**. [Dkt. 92.] Judgment on the resolved claim against Mr. Jekogian will enter accordingly, and the Clerk is directed to **CLOSE** this matter on the Court's docket.

06/07/2013



Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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